# No. 51

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

WEDNESDAY, JUNE 2, 1999 10:00 a.m.

#### REPORTS OF STANDING COMMITTEES

HR 48 Rep. Jansen

A resolution to memorialize the Congress of the United States to reject a proposed reduction in the Temporary Assistance to Needy Families (TANF) Block Grant.

<del>\_\_\_</del> 1 <del>\_\_\_\_</del>

(Reported by Committee on House Oversight and Operations.)

(For text of resolution, see House Journal No. 27, page 490; laid over 1 day May 19.)

(For proposed House substitute (H-2), see Blue Book.)

HR 98 Rep. DeVuyst

A resolution to oppose the Kyoto Protocol on greenhouse gas emissions and to memorialize the United States Senate not to ratify the Kyoto Climate Treaty.

(Reported by Committee on Conservation and Outdoor Recreation.)

(For text of resolution, see House Journal No. 43, page 834; laid over 1 day May 20.)

# MESSAGES FROM THE SENATE

<del>\_\_\_</del> 3 <del>\_\_\_\_</del>

HB 4240 Rep. Bisbee

Education; students; school officials to notify law enforcement about violence at school; require and provide school officials with access to information about expulsions and criminal activity involving students and about criminal activity near school grounds, and require expulsion of pupils for certain assaults.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding secs. 1308 & 1311a.

(Returned from Senate with substitute (S-3) and immediate effect; laid over 1 day May 12.)

(I.E. House, February 17.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

# HB 4300 Rep. LaSata

Appropriations; corrections; department of corrections; provide for fiscal year 1999-2000.

— 4 ——

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day May 27.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

# \*Appropriation Bill—House Rule 49. †Constitution, Art. IV, Sec. 26. #House Rule 49.

MESSAGES FROM THE SENATE

HB 4025 Rep. Richner

Health; anatomical gifts; harvesting of human organs by individual who is not a licensed physician, an individual acting under the delegatory authority of a licensed physician, or other legally authorized individual; specifically prohibit and prescribe penalties.

Amends sec. 10204 of 1978 PA 368 (MCL 333.10204).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day June 1.)

(I.E. House, May 5.)

(For House substitute (H-3), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

6

HB 4466 Rep. Sanborn

Criminal procedure; sentencing guidelines; new felony involving harvesting of organs; add to sentencing guidelines.

Amends sec. 13, ch. XVII of 1927 PA 175 (MCL 777.13).

(Returned from Senate with amendment and immediate effect; laid over 1 day June 1.)

(I.E. House, May 5.)

(For House substitute (H-2), see Blue Book.)

(For Senate amendment, see House Journal No. 50, page 1267.)

HB 4530 Rep. Green

Weapons; licensing; concealed weapon and pistol purchase permits; revise and require proof of firearms training before issuance of permit.

Amends title & secs. 1, 8, 12, 12a & 14 of 1927 PA 372 (MCL 28.421 et seq.); adds secs. 1a, 2a, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 5m & 5n & repeals secs. 3, 6, 9d & 12c of 1927 PA 372 (MCL 28.423 et seq.).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day June 1.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

8 –

HB 4648 Rep. Richardville

Crimes; drunk driving; period of immobilization authorized for certain alcohol-related and controlled substance-related driving offenses; increase.

Amends sec. 904d of 1949 PA 300 (MCL 257.904d).

(Returned from Senate with amendments and immediate effect; laid over 1 day June 1.)

(I.E. House, May 19.)

(For House substitute (H-1), see Blue Book.)

(For Senate amendments, see House Journal No. 50, page 1267.)

## MESSAGES FROM THE SENATE

\_\_\_\_\_ 9 <u>\_\_\_\_</u>

#### SB 381 Sen. Stille

Health; anatomical gifts; harvesting of human organs by individual who is not a licensed physician, an individual acting under the delegatory authority of a licensed physician, or other legally authorized individual; specifically prohibit and prescribe penalties.

Amends sec. 10204 of 1978 PA 368 (MCL 333.10204).

(Re-returned from Senate with amendment to (H-1); laid over 1 day June 1.)

(I.E. House, May 5.)

(For House substitute (H-1), see Blue Book.)

(For Senate amendment, see Senate Journal No. 50, page 1268.)

#### THIRD READING

## **HB** 4099 Rep. Shackleton

Education; calendar; Friday before Labor day; require that school not be in session on and create school calendar task force.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

(Reported by Committee on Great Lakes and Tourism.) (Read a third time; passed for day May 6.)

(For House substitute (H-4), see Blue Book.)

— 11 ———

# \*HB 4498 Rep. Jelinek

Appropriations; school aid; school aid; provide for fiscal year 1999-2000.

Amends secs. 3, 4, 6, 6b, 8, 8a, 11, 11g, 13, 14, 15, 17a, 17b, 18, 18a, 19, 20, 20b, 24, 25, 25a, 26a, 31a, 31c, 36, 36a, 37, 38, 39, 40, 41, 51a, 52, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 94, 99, 101, 102, 104a, 105, 107, 109, 118, 124, 147, 151, 152, 158, 158b, 161a, 163, 165, 166b, 167, 168, 169 & 169a of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 105c & 166c & repeals secs. 10, 11e, 91c, 105a, 105b, 164c & 166d of 1979 PA 94 (MCL 388.1610 et seq.) & sec. 274 of 1967 PA 281 (MCL 206.274).

(Reported by Committee on Appropriations.)

(Read a third time; postponed temporarily June 1.)

(For House substitute (H-1), see Blue Book.)

(For House amendments, see House Journal No. 50, page 1242.)

# SB 509 Sen. North

Land use; zoning and growth management; variance in airport zoning; authorize condemning agency to seek.

Amends sec. 24 of 1950 (Ex Sess) PA 23 (MCL 259.454).

(Reported by Committee on Local Government and Urban Policy.)

(Read a third time; postponed temporarily June 1.) (For Senate substitute (S-1), see Blue Book.)

#### THIRD READING

— 13 ———

# SB 515 Sen. Dunaskiss

Land use; zoning and growth management; variance in natural rivers zoning; authorize condemning agency to seek

Amends secs. 30510 & 30512 of 1994 PA 451 (MCL 324.30510 & 324.30512).

(Reported by Committee on Local Government and Urban Policy.)

(Read a third time; passed for day June 1.)

(For Senate substitute (S-2), see Blue Book.)

## SECOND READING

\_\_\_\_ 14 \_\_\_\_\_

# HB 4190 Rep. Cassis

Consumer credit; credit bureaus; individual access to 1 free credit report annually; provide for.

(Reported by Committee on Insurance and Financial Services.)

(For proposed House substitute (H-1)\*, see Blue Book.)

\_\_\_\_\_ 15 \_\_\_\_\_

# HB 4032 Rep. Sanborn

Income tax; property tax credit; calculation of credit; revise for senior citizens.

Amends sec. 522 of 1967 PA 281 (MCL 206.522).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-2), see Blue Book.)

— 16 ———

# SB 178 Sen. McManus

Transportation; motor fuel tax; wholesale distributor of diesel motor fuel; require to pay taxes to the department of treasury at time of filing a report on all gallons tax exempt but not sold for tax exempt purposes during the reporting period.

Amends sec. 12 of 1927 PA 150 (MCL 207.112).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

# SB 53 Sen. North

Education; calendar; Friday before Labor day; require that school not be in session on and create school calendar task force.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

(Reported by Committee on Great Lakes and Tourism.) (For proposed House substitute (H-3), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

— 18 ———

# **HB** 4022 Rep. Wojno

Single business tax; credit; credit for the purchase and installation costs for equipment to process recyclable materials; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39d.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-3), see Blue Book.)

# JUNE 2, 1999 SECOND READING — 19 —— **HB** 4256 Rep. LaSata Single business tax; credit; credit for the cost paid to purchase equipment to process recyclable materials; provide Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39e. (Reported by Committee on Tax Policy.) (For proposed House substitute (H-3), see Blue Book.) **—** 20 **—** HB 4177 Rep. Gosselin Property tax; millage; disclosure of millage rate and certain other information on ballot proposal; require. Amends sec. 24f of 1893 PA 206 (MCL 211.24f). (Reported by Committee on Constitutional Law and Ethics.) (For proposed House substitute (H-1), see Blue Book.) — 21 —— HB 4414 Rep. Ruth Johnson Courts; witnesses; rate of reimbursement for travel expenses of a subpoenaed witness; revise. Amends sec. 2552 of 1961 PA 236 (MCL 600.2552). (Reported by Committee on Family and Civil Law.) (For proposed House amendment, see House Journal No. 40, page 770.) SB 106 Sen. V. Smith Crimes; stolen property; penalties for operating a chop shop; increase. Amends sec. 535a of 1931 PA 328 (MCL 750.535a). (Reported by Committee on Criminal Law and Corrections.) (For proposed House amendments, see House Journal No. 41, page 791.) (For Senate substitute (S-1), see Blue Book.) <del>\_\_\_\_ 23 \_\_\_\_\_</del> 288 Sen. V. Smith SB Criminal procedure; sentencing guidelines; sentencing

Criminal procedure; sentencing guidelines; sentencing guidelines provisions for operating a chop shop; revise.

Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).

(Reported by Committee on Criminal Law and Corrections.)

\_\_\_\_\_ 24 \_\_\_\_\_

**430** Sen. Bullard

SB

Crimes; homicide; carjacking; include in felony murder

Amends sec. 316 of 1931 PA 328 (MCL 750.316).

(Reported by Committee on Criminal Law and Corrections.)

(For proposed House amendment, see House Journal No. 41, page 792.)

#### SECOND READING

\_\_\_\_ 25 \_\_\_\_\_

**HB** 4426 Rep. DeRossett

Taxation; state real estate transfer; exemption for transfer of property constructed by students; provide for.

Amends sec. 6 of 1993 PA 330 (MCL 207.526).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

<del>\_\_\_\_</del> 26 <del>\_\_\_\_</del>

**HB** 4586 Rep. Rick Johnson

Use tax; exemptions; interstate motor carrier rolling stock exemption; eliminate sunset.

Amends sec. 4k of 1937 PA 94 (MCL 205.94k).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

- 27 ———

**HB** 4618 Rep. Rick Johnson

Civil procedure; costs and fees; statutory attorney fee for the trial in civil cases; increase.

Amends sec. 2441 of 1961 PA 236 (MCL 600.2441).

(Reported by Committee on Family and Civil Law.) (For proposed House substitute (H-2), see Blue Book.)

\_\_\_\_ 28 \_\_\_\_\_

HB 4373 Rep. Cassis

Property tax; personal property; buildings on leased land; assess as real property.

Amends secs. 2, 8, 14 & 34c of 1893 PA 206 (MCL 211.2 et seq.).

(Reported by Committee on Tax Policy.)

(For proposed House amendment, see House Journal No. 45, page 934.)

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SB 396 Sen. Bullard

Sales tax; exemptions; investment coins and bullion; exempt.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4s.

(Reported by Committee on Tax Policy.)

(For Senate amendment, see Senate Journal No. 40, page 599.)

\_\_\_\_ 30 \_\_\_\_

SB 303 Sen. Young

Legislature; legislative agencies; access to the Michigan register on the internet; require.

Amends sec. 203 of 1986 PA 268 (MCL 4.1203).

(Reported by Committee on House Oversight and Operations.)

<del>\_\_\_\_ 31 \_\_\_\_\_</del>

HB 4541 Rep. Bovin

Criminal procedure; probation; probation conditions prohibiting purchase or possession of firearm; permit.

Amends sec. 3, ch. XI of 1927 PA 175 (MCL 771.3).

(Reported by Committee on Constitutional Law and Ethics.)

## SECOND READING

# HB 4689 Rep. Koetje

Gaming; gambling; internet gambling; regulate.

(Reported by Committee on Gaming and Casino Oversight.)

<del>\_\_\_\_ 33 \_\_\_\_\_</del>

## **HB** 4659 Rep. Middaugh

Counties; boards and commissions; membership on the 9-1-1 emergency service board; create and prescribe.

Amends 1986 PA 32 (MCL 484.1101 - 484.1604) by adding ch. VII & repeals 1986 PA 32 (MCL 484.1101 - 484.1604) & enacting sec. 3 of 1994 PA 29.

(Reported by Committee on Energy and Technology.)

<del>\_\_\_ 34 \_\_\_\_\_</del>

# HB 4081 Rep. DeVuyst

Vehicles; license plates; specialty license plates with white-tailed deer; create and earmark for certain highway cleanup funding.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811d.

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House substitute (H-1), see Blue Book.)

<del>\_\_\_\_</del> 35 <del>\_\_\_\_\_</del>

## HB 4630 Rep. Rison

Vehicles; license plates; revenue from white-tailed deer license plates; earmark for roadkill removal and disposal.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 90.

(Reported by Committee on Conservation and Outdoor Recreation.)

(For proposed House amendment, see House Journal No. 46, page 980.)

# HB 4456 Rep. Sanborn

Human services; children's services; self-defense training of children's protective services caseworkers; require, and require children's protective services caseworkers to perform certain duties in pairs.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 115p.

(Reported by Committee on Family and Civil Law.) (For proposed House substitute (H-3), see Blue Book.)

— 37 ——

# SB 306 Sen. Rogers

Traffic control; driver license; requirements for filing a change of address; revise and provide penalties and licensing sanctions.

Amends secs. 307, 315 & 319 of 1949 PA 300 (MCL 257.307 et seq.) & adds sec. 50a.

(Reported by Committee on Transportation.) (For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

#### SECOND READING

# **HB** 4658 Rep. Scranton

Communications; telephone; wireless emergency telephone service; include.

Amends sec. 201 of 1986 PA 32 (MCL 484.1201) & adds secs. 407, 408, 409, 410, 411 & 412.

(Reported by Committee on Energy and Technology.) (For proposed House substitute (H-2), see Blue Book.)

# SB 345 Sen. Schuette

State; other; homesteading of multifamily public housing projects; permit.

(Reported by Committee on Local Government and Urban Policy.)

(Read a second time; House substitute (H-2) adopted; postponed temporarily June 1.)

(For House substitute (H-2), see Blue Book.) (For Senate substitute (S-3), see Blue Book.)

**—** 40 **—** 

## SB 516 Sen. Bullard

Land use; zoning and growth management; variance in county zoning; authorize condemning agency to seek.

Amends sec. 20 of 1943 PA 183 (MCL 125.220).

(Reported by Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Blue Book.)

# SB 517 Sen. Bullard

Land use; zoning and growth management; variance in township zoning; authorize condemning agency to seek.

Amends sec. 20 of 1943 PA 184 (MCL 125.290).

(Reported by Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Blue Book.)

# SB 518 Sen. Johnson

Land use; zoning and growth management; variance in city and village zoning; authorize condemning agency to seek.

Amends sec. 5 of 1921 PA 207 (MCL 125.585).

(Reported by Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Blue Book.)

**—** 43 **—** 

## SB 519 Sen. Dunaskiss

Land use; condemnation; changes in amounts of certain good faith offers resubmitted to account for federal or state hazardous substance cost recovery actions; limit.

Amends sec. 5 of 1980 PA 87 (MCL 213.55).

(Reported by Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Blue Book.)

#### SECOND READING

—— 44 ———

#### **HB** 4028 Rep. Mortimer

Elections; primary; presidential primary election; move date to second Tuesday in February.

Amends sec. 613a of 1954 PA 116 (MCL 168.613a).

(Reported by Committee on Constitutional Law and Ethics,)

(For proposed House substitute (H-1), see Blue Book.)

45 —

HB 4408 Rep. Mortimer

Elections; primary; dates relating to presidential primary; revise.

Amends secs. 614a & 615a of 1954 PA 116 (MCL 168.614a & 168.615a).

(Reported by Committee on Constitutional Law and Ethics.)

(For proposed House substitute (H-2), see Blue Book.)

46 ——

**HB** 4705 Rep. DeWeese

Education; public school academies; cap on number of charter schools; revise.

Amends sec. 502 of 1976 PA 451 (MCL 380.502).

(Reported by Committee on Education.)

**HB** 4706 Rep. Lemmons

Education; public school academies; limit enrollment to certain types of pupils; allow.

Amends secs. 502 & 504 of 1976 PA 451 (MCL 380.502 & 380.504).

(Reported by Committee on Education.)

(For proposed House substitute (H-2), see Blue Book.)

**—** 48 **—** 

**HB** 4707 Rep. Voorhees

Education; public school academies; enrollment priority for children of employees; allow.

Amends sec. 504 of 1976 PA 451 (MCL 380.504).

(Reported by Committee on Education.)

— 49 ——

HB 4599 Rep. Geiger

Health facilities; freestanding surgical outpatient facilities; definition of freestanding surgical outpatient facility; revise and provide for reinstatement of certain rules.

Amends secs. 20104 & 20115 of 1978 PA 368 (MCL 333.20104 & 333.20115).

(Reported by Committee on Regulatory Reform.)

(For House amendment, see House Journal No. 47, page 1014.)

## HB 4600 Rep. Bisbee

Health; abortion; disclosure by physicians of abortion complications; require.

Amends sec. 2835 of 1978 PA 368 (MCL 333.2835) & adds sec. 2837.

(Reported by Committee on Regulatory Reform.)

#### SECOND READING

**HB 4601** Rep. O'Neil

Health; abortion; physical complications resulting from abortion; require report to department of community health.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 2837.

(Reported by Committee on Regulatory Reform.)

SB 492 Sen. Van Regenmorter

Communications; services; establish.

Amends secs. 102, 303, 316, 601, 602 & 604 of 1986 PA 32 (MCL 484.1102 et seq.) & adds sec. 605.

(Reported by Committee on Energy and Technology.) (For Senate amendments, see Senate Journal No. 45, page 756.)

\_\_\_\_\_ 53 \_\_\_\_\_

SB 493 Sen. Goschka

Communications; cellular telephone; wireless emergency telephone service; include.

Amends secs. 401, 403, 404, 405, 406 & 505 of 1986 PA 32 (MCL 484.1401 et seq.).

(Reported by Committee on Energy and Technology.) (For Senate amendment, see Senate Journal No. 45, page 757.)

\_\_\_\_ 54 \_\_\_\_\_

**HB** 4733 Rep. Bisbee

Economic development; renaissance zones; eligibility for new renaissance zone communities; provide for.

Amends title & secs. 3, 4, 5, 6 & 8 of 1996 PA 376 (MCL 125.2683 et seq.) & adds sec. 8a.

(Reported by Committee on Economic Development.) (Read a second time; substitute (H-1) adopted and amended; amendments offered; postponed temporarily June 1.)

(For House substitute (H-1), see Blue Book.)

(For House amendments, see House Journal No. 50, page 1240.)

(For proposed House amendments, see House Journal No. 49, page 1167.)

<del>\_\_\_\_ 55 \_\_\_\_\_</del>

HB 4010 Rep. Shulman

Highways; construction and repair; township liability for injuries and damages occurring on public highways, sidewalks, bike paths, and safety paths; eliminate unless township assumes jurisdiction.

Amends sec. 2 of 1964 PA 170 (MCL 691.1402).

(Reported by Committee on Family and Civil Law.) (For proposed House substitute (H-2)\*, see Blue Book.)

<del>----- 56 -------</del>

SB 543 Sen. Hoffman

Military affairs; other; reimbursement of enlisted men for personal expense; repeal.

Repeals 1953 PA 140 (MCL 32.261 - 32.262).

(Reported by Committee on Veterans Affairs.)

# **PUBLIC HEARING**

**Family and Civil Law -** Monday, June 7, 2:00 p.m., Washtenaw County, County Administration Building, Board of Commissioners Room, 220 N. Main Street, Ann Arbor, MI, regarding HJR F - Courts; jurisdiction; constitutional structure of judicial branch; revise

## STANDING COMMITTEE MEETINGS

**Appropriations -** Wednesday, June 2 and Thursday, June 3, 9:00 a.m., Room 351, Capitol Building

**Subcommittee on Joint Capital Outlay -** Wednesday, June 2, 3:30 p.m., or after committees are given leave by the House to meet, whichever time is later, Room 351, Capitol Building

# STANDING COMMITTEE MEETINGS

**Criminal Law and Corrections -** Wednesday, June 2, 8:30 a.m., Rooms 425 and 426, Capitol Building

## STATUTORY COMMITTEE MEETINGS

**House Fiscal Agency Governing Board -** Thursday, June 3, 9:00 a.m., Room 351, Capitol Building

**Joint Legislative Retirement Board -** Wednesday, June 2, 4:00 p.m., Room 65, Capitol Building